

Atty. Dkt. No. 035451-0136 (3652.Palm)

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 7, 17, 29, 30, 33, 43, and 65 have been amended.

Claim 8 has been cancelled.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate status identifier for each claim.

After amending the claims as set forth above, claims 2-13, 15-22, 29-30, 32-34, 36-40, 43-49, and 60-69 are now pending in this application.

Claim Rejections - 35 U.S.C. § 103(a)

In section 3 of the Office Action, claims 2-13, 15-22, 29, 30, 32-34, 36-40, 43-49, and 60-69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hosain in view of Hamilton. Applicants respectfully submit that the rejected claims are patentable over the cited references because the cited references fail to disclose, teach, or suggest the subject matter of the rejected claims.

Claim 7 is in independent form and has been amended to recite a combination of features including "receiving a data signal wirelessly at the network access node," and "forwarding the data signal wirelessly to a network user node," where "the network user node is a portable, handheld device having a display," which is not disclosed, taught, or suggested by Hosain, alone or in any proper combination with Hamilton. Applicants point out that claim 7 has been amended to include the limitations of former dependent claim 8, which has been cancelled. Applicants further point out that the Examiner has provided no reference to the art of record of a teaching of such a feature.

Hosain discloses defining an accounting framework for charging services used on a packet-based network. By providing an accounting unit having a predetermined format,

Atty. Dkt. No. 035451-0136 (3652.Palm)

Hosain attempts to allow accounting information collected by one service provider to be communicated to another service provider without complicated translations or conversions of accounting formats that may differ between service providers. Hosain, col. 2 lines 57-67.

As shown in Fig. 1 of Hosain, mobile node 33 is shown in wireless communication with service provider 36. Other mobile nodes 20 and 35 are also shown in wireless communication with service providers 38 and 20, respectively. However, none of mobile nodes 20, 33, or 35 both receives a data signal wirelessly at a network access node and forwards the data signal wirelessly to a network user node, as recited in Claim 7 of the present application. The Examiner acknowledged on page 3 of the Office Action that Hosain fails to disclose receiving a data signal wirelessly at the network access node.

The Examiner relied on Hamilton for the teaching of this feature. However, Hamilton does not disclose, teach, or suggest, "receiving a data signal wirelessly at [a] network access node," and "forwarding the data signal wirelessly to a network user node," where "the network user node is a portable, handheld device having a display," as recited in amended claim 7. Hamilton discloses a mobile station 12 that may wirelessly communicate with a base station subsystem 14. However, the mobile station 12 does not both receive and forward data signals wirelessly, as recited in independent claim 7. Furthermore, while Hamilton may disclose other devices capable of wireless communications (e.g., Gateway GPRS Support Node (GGSN) 32), none of these are portable or handheld devices.

Accordingly, Applicants submit that the cited combination fails to disclose, teach, or suggest the subject matter of independent claim 7. Claims 33 and 65 have been amended to recite similar features and are believed to be patentable for at least the same reasons that claim 7 is patentable. Withdrawal of the rejection of independent claims 7, 33, and 65, and corresponding dependent claims 1-6, 8-13, 32, 24-40, 60-64, and 65-69, is respectfully requested.

Claim 17 is in independent form and has been amended to recite a "portable device configured as a repeater" including a combination of features including "means for receiving a data signal wirelessly at the portable device" and "means for forwarding the data signal

SEP 18 2007

Atty. Dkt. No. 035451-0136 (3652.Palm)

wirelessly from the portable device to a network user node." Neither Hosain or Hamilton discloses, teaches, or suggests the features of independent claim 17. For example, as discussed with respect to claim 7, none of mobile nodes 20, 33, or 35 of Hosain both receives a data signal wirelessly at a network access node and forwards the data signal wirelessly to a network user node. Similarly, the mobile station 12 of Hamilton may wirelessly communicate with a base station subsystem 14, but it does not both receive and forward data signals wirelessly.

Accordingly, Applicants submit that the cited combination fails to disclose, teach, or suggest the subject matter of independent claim 17. Claims 29 and 43 have been amended to recite similar features and are believed to be patentable for at least the same reasons that claim 17 is patentable. Withdrawal of the rejection of independent claims 17, 29, and 43, and corresponding dependent claims 15, 16, 18-22, 30, and 40-49., is respectfully requested.

Dependent claims 3, 15 and 61 further recite the use of an ad hoc network. Hosain and Hamilton fail to teach or suggest an ad hoc network among multiple mobile devices. The Examiner relies on paragraph [0038] of Hamilton for a teaching of this feature. However, while Hamilton may disclose a gateway node (e.g., GGSN 38) between an external Packet Data Network (PDN), such as Internet 44, and a GPRS Backbone Network (GBN) 38, Hamilton does not disclose the use of an ad hoc network. Accordingly, Applicants submit that claims 3, 15, and 61 are further patentable over Hosain and Hamilton for this additional reason.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0471. Should no proper payment be enclosed herewith, as by a

-11-

MILW_2415376.1

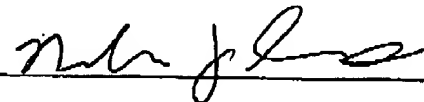
Application No. 09/871,111

Atty. Dkt. No. 035451-0136 (3652.Palm)

check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0471.

Respectfully submitted,

Date 9/18/2007

By 

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 319-7306
Facsimile: (414) 297-4900

Matthew J. Swietlik
Attorney for Applicants
Registration No. 58,428